



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ४, अंक २६]

शुक्रवार, एप्रिल ६, २०१८/चैत्र १६, शके १९४०

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असाधारण क्रमांक ६०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Public Universities (Amendment) Act, 2017 (Mah. Act No. XXVII of 2018), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,  
I/c. Secretary (Legislation) to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XXVII of 2018

*(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 6th April 2018).*

An Act to amend the Maharashtra Public Universities Act, 2016.

WHEREAS the Governor of Maharashtra had promulgated the Mah. Maharashtra Public Universities (Amendment) Ordinance, 2017 on the 28th November 2017 ;  
XVIII of 2017.

AND WHEREAS upon the re-assembly of the State Legislature on the 11th December 2017, the Maharashtra Public Universities (Amendment) Bill, 2017 (L. A. Bill No. LXVIII of 2017), for converting the said Ordinance into an Act of the State Legislature, was passed the Maharashtra Legislative Assembly on the 21st December 2017 and was transmitted to the Maharashtra Legislative Council ;

(१)

AND WHEREAS thereafter, as the session of the Maharashtra Legislative Council was prorogued on the 22nd December 2017, the said Bill could not be passed by the Maharashtra Legislative Council ;

AND WHEREAS as provided by article 213 (2)(a) of the Constitution of India, the said Ordinance shall cease to operate at the expiration of six weeks form the date of re-assembly of the State Legislature, that is, after the 21st January 2018 ;

AND WHEREAS both Houses of the State Legislature were not in session ; and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to continue the operation of the provisions of the said Ordinance, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Public Universities (Amendment and Continuance) Ordinance, 2018 (hereinafter referred to as “the said Continuance Ordinance”) on the 20th January 2018 ;

Mah.  
Ord. I  
of 2018.

AND WHEREAS it is expedient to replace the said Continuance Ordinance by an Act of the State Legislature ; it is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :—

Short title and  
commence-  
ment.

1. (1) This Act may be called the Maharashtra Public Universities (Amendment) Act, 2017.

(2) It shall be deemed to have come into force on 28th November 2017.

Amendment  
of section 30  
of Mah. VI of  
2017.

2. In section 30 of the Maharashtra Public Universities Act, 2016 (hereinafter referred to as “the principal Act”), after sub-section (4) following proviso shall be added, namely :—

Mah. VI  
of 2017.

“Provided that, for the election of the candidate from the reserved categories, under clauses (f), (g), (h) and (i), for the initial term of Management Council, immediately after the commencement of this Act, point of rotation for reserved categories under the said clauses shall be decided by drawing of lots by Vice-Chancellor, and while drawing of lots, it shall be ensured that the person belonging to each reserved category shall have representation on the Management Council.”.

Amendment  
of section 62  
of Mah. VI of  
2017.

3. In section 62 of the principal Act, after sub-section (2) following proviso, shall be added, namely :—

“Provided that, for the initial term of the authorities of the Universities, immediately after the commencement of this Act, the process of election, nomination and co-option shall be completed not later than 31st May 2018.”.

Insertion of  
section 99A  
in Mah. VI of  
2017.

4. After section 99 of the principal Act, the following section shall be added, namely :—

Temporary  
provisions for  
Constitution  
of Students’  
Council.

“99A. Notwithstanding anything contained in section 99, for the academic year 2017-18, with regard to the constitution of Students’ Council the following provisions shall apply :—

(1) There shall be a University Students’ Council as specified in sub-section (4), a University Department Students’ Council for

the departments of the University and a Students' Council for each conducted college or institution of the University and each affiliated college, to look after the welfare of the students and to promote and co-ordinate the extracurricular activities of different students' associations for better corporate life. The Councils shall not engage in political activities.

(2) (a) The University Department Students' Council shall consist of the following members, namely :—

- (i) Vice-Chancellor — President ;
- (ii) Director of Students' Development — Chairman ;
- (iii) Director of Sports and Physical Education ;
- (iv) Director of National Service Scheme ;
- (v) One student from each university department who has shown academic merit at the preceding degree examination and is engaged in full time studies in a university, institution or department or conducted college, nominated by the Vice-Chancellor ;
- (vi) Two lady students nominated by the Pro-Vice-Chancellor and if there is no Pro-Vice-Chancellor, the Vice-Chancellor shall nominate two lady students.

(b) the Students Council for each institution, conducted college or affiliated college shall consist of the following :—

- (i) Principal- Chairman ;
- (ii) One lecturer, nominated by the Principal ;
- (iii) Teacher in charge of National Cadet Corps ;
- (iv) National Service Scheme Programme Officer ;
- (v) One student from each class, who has shown academic merit at the examination held in the preceding year and who is engaged in full-time studies in the college, nominated by the Principal ;
- (vi) Director of Sports and Physical Education, if any ;
- (vii) One student from each of the following activities, who has shown outstanding performance, nominated by the Principal, namely :—

- (1) Sports ;
- (2) National Service Scheme and Adult Education;
- (3) National Cadet Corps ;
- (4) Cultural Activities ;

(viii) Two lady students nominated by the principal :

Provided that, two of the students from the categories (vii) and (viii) shall be those belonging to the Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes.

(3) The student member's of both these Councils shall elect, from amongst themselves, the Secretary of their respective Council.

(4) (a) There shall be University Students' Council consisting of not more than fifteen persons, nominated through selection, from amongst Secretaries of the respective councils under sub-section (3), as prescribed by the Statutes existing immediately prior to the date of commencement of this Act :

Provided that, at least one seat each be reserved for students belonging to—

- (i) Scheduled Castes ;
- (ii) Scheduled Tribes ;
- (iii) De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes
- (iv) Other Backward Classes ; and
- (v) One seat for women students,

remaining seats being distributed district-wise :

Provided further that, for the purpose of nomination through selection details based on academic performance, participation in National Cadet Corps, National Service Scheme and Adult Education, Cultural Activities or such other activities as may be prescribed by the Statutes existing immediately prior to the date of commencement of this Act.

(b) The University Students' Council so formed shall elect its own President and Secretary.

(c) Every meeting of the University Students' Council shall be presided over by the Vice-Chancellor and shall be attended by such other officers as may be prescribed.

(5) A student shall be eligible to be, or continue to be, a member of any of the Students' Council, only if he is enrolled as a full time student.

(6) The nomination of the student members of the Students' Council shall be made for the academic year 2017-2018 on the date to be fixed by the Management Council. The term of office of the nominated student members shall begin with effect from the date of nomination and shall extend upto the last day of the academic year, unless they have, in the meantime, incurred any of the disqualifications specified by or under the Act; and shall then expire.

(7) One third of the members of the Council shall constitute the quorum. The rules and procedure for conduct of business of the meetings and such other matters shall be such as may be prescribed. The Council shall meet at least once in every three months.”.

Amendment  
of section  
109 of Mah.  
VI of 2017.

5. In section 109 of the principal Act, in sub-section (3), after clause (d), after the existing proviso the following proviso shall be inserted, namely :—

“Provided further that, for the first academic year, immediately after the commencement of this Act with a view to facilitate the Universities to decide the applications for permission for opening of

new College the dates referred to in clauses (a), (c) and (d) of sub-section (3) as specified in column (2) of the Table hereto shall be read as provided in column (3) of the said Table :—

*Table*

Clauses	For the date existing provision	Date for the Academic Year 2017-18
(1)	(2)	(3)
(a)	Last day of September of the Year.	15th December 2017.
(c)	Before 30th of November of the year.	Before 15th January 2018.
(d)	Before 31st January of the immediately following year.	Before 28th February 2018. ”.

**6.** In section 146 of the principal Act, for sub-section (1), following shall be substituted, namely :—

“(1) Every authority of an existing university shall, as soon as practicable, but not later than 31st May 2018, be reconstituted in accordance with the provisions of this Act. Every such authority shall, be deemed to be reconstituted with effect from such date as the Vice-Chancellor may, from time to time, specify by notification.”.

Amendment  
of section  
146 of Mah.  
VI of 2017.

Mah.  
Ord. I  
of 2018.

**7.** (1) The Maharashtra Public Universities (Amendment and Continuance) Ordinance, 2018, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act as amended by this Act.

Repeal of  
Mah. Ord. I  
of 2018 and  
saving.